

Recommendations for Immediate U.S. Government Actions to Protect Afghan Civilians

(April 2021)

The U.S. withdrawal from Afghanistan, scheduled for September 2021, will leave many Afghans at imminent risk of violent retaliation from the Taliban and other armed groups. For vulnerable Afghans, including those who served with the U.S. government, activists, journalists, and aid workers, the threat of serious harm is imminent and will escalate quickly after withdrawal.

The Afghan Special Immigrant Visa (SIV) program has been the main tool for the U.S. government to protect Afghans threatened due to their work for the U.S. government. However, the SIV program is plagued by delays, backlogs, and other bureaucratic obstacles, and excludes many Afghans who cannot meet the program's extensive requirements. Therefore, the Afghan SIV program is an insufficiently timely escape route for most Afghan civilians at risk.

Thus, between now and September, the U.S. government must explore alternative options and surge all capacity to ensure that Afghan civilians are protected. No one solution can provide a sufficient response. Based on our work with thousands of Afghan SIV applicants over the last decade, IRAP instead recommends that the U.S. government act on the following short- and long-term solutions in tandem.

1. Evacuation

Similar to Operation Pacific Haven in 1996, which evacuated thousands of Iraqi Kurds to Guam, or airlifts at the end of the Vietnam War, **the Department of Defense should immediately incorporate evacuation operations for vulnerable Afghans into the planned retrograde order.**

The operations should consider all options, including large-scale ground convoys with air cover into safe zones or transit areas in nearby countries, as well as large-scale airlifts. To that end, the United States should explore contracting with commercial airlines, modeled on Air India's mass relocation of Indian nationals from Iraq in 1991, as well as partnerships with organizations like Miles4Migrants to provide donated travel to Afghans.

The U.S. government should also consider multiple relocation sites, such as U.S. military bases in Guam or Diego Garcia, or bring Afghans directly to the United States or another safe country for further immigration processing.

2. *Diplomatic Engagement*

The U.S. government should engage in diplomatic efforts with partner countries to increase efforts at evacuation and protection of Afghans. Both the United Kingdom and Germany have expanded relocation programs for their former employees in Afghanistan. The United States should also ensure that countries hosting displaced Afghans receive adequate humanitarian aid and do not forcibly return at-risk individuals to Afghanistan.

3. *Parole Processing*

The Department of Homeland Security (DHS) can authorize an individual to enter the United States through parole, which does not confer immigration status. However, **through large-scale parole, the U.S. government can quickly admit large numbers of Afghans, who can then apply for various pathways to permanent status, such as asylum or an SIV.**

The U.S. Embassy in Kabul can recommend and refer individual cases to DHS, while also issuing documents permitting travel to the United States. At the airport, DHS can parole the individual into the United States. DHS should also establish parole programs for certain groups of at-risk Afghans, such as SIV applicants, activists, journalists, humanitarian workers, and at-risk women and children, to give them expedited access and processing. While the Administration has the discretion to grant parole to individuals or create categorical parole programs, Congress should pass legislation to extend refugee reception and placement benefits to Afghan parolees in the U.S.

4. *Afghan SIV Program*

The SIV program does not provide an immediate pathway to safety for most at-risk Afghans given the backlog of over 17,000 applicants, bureaucratic delays, and narrow eligibility criteria. However, **the U.S. government must surge resources to ensure that as many applicants as possible are issued visas and able to travel before September.**

At the same time, **the Administration and Congress should also bolster the long-term viability of the Afghan SIV program**, even after U.S. withdrawal, so that SIV applicants can pursue applications from outside Afghanistan or from within the United States. Congress should continue reauthorizing the Afghan SIV program and allocating sufficient visas, as well as expand eligibility to a broader range of applicants, including parents and married children or children older than 21. Congress should also streamline the adjudication process, reduce undue paperwork burdens, and review the security vetting apparatus,

which are slowing SIV adjudications. Finally, Congress should consider establishing a permanent SIV program for at-risk local employees regardless of nationality.

5. U.S. Refugee Admissions Program (USRAP)

The USRAP can also provide a pathway to safety over the long term for Afghan refugees. Currently, Afghans are not processed from within Afghanistan for refugee resettlement. The post-withdrawal security situation in Afghanistan will make future in-country processing difficult. However, **the USRAP could still benefit Afghan refugees who have fled Afghanistan, if the U.S. government were to dramatically expand the quota of refugee admissions**, surge adjudication capacity, and address processing backlogs and delays, particularly at the security vetting stages. Remote interviews could allow applicants to avoid delays.

The United Nations High Commissioner for Refugees (UNHCR) submitted only 80 Afghan refugees for resettlement to the United States in 2020 due to U.S. restrictions on resettlement. The Department of State can direct UNHCR to increase individual referrals from Afghans in the region.

The Department of State could also designate one or more categories of Afghans as priority groups of special humanitarian concern. These could include any of the categories mentioned earlier, including family members of U.S. government employees, U.S. government employees not covered by the SIV program, and other at-risk populations such as activists, journalists, and humanitarian workers. In designing this program, the United States should draw lessons from a similar program for U.S.-affiliated Iraqis that faces massive backlogs.

Conclusion

The imminent withdrawal of U.S. troops from Afghanistan will leave many Afghan civilians at risk of targeted attacks from the Taliban. The existing Afghan SIV program is insufficient to protect these Afghans over the coming months. The U.S. government should take immediate and urgent action to bring these Afghans to safety through large-scale evacuations, a categorical parole program, and other relocation efforts. Further, the U.S. government should create the infrastructure to allow for long-term processing of at-risk Afghans through the SIV program and refugee resettlement.